

REMARKS

Claims 1, 2, 6, 7, 10, 41, 42, 47, and 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moses et al (cancer Research, 1998, Vol. 58, pp. 1395-1399) as evidenced by the abstract of Monier et al. (Clinica Chimica Acta, Sep 2000, Vol. 299, pp 11-23) in view of Kjeldsen et al. (Journal of Biological Chemistry, 1993, Vol 268, pp 10425-10432).

Applicants submitted a 1.131 Affidavit which antedates the reference of Monier et al. (Appendix 1) on February 09, 2006. As the 1.131 Affidavit indicates, the Applicants arrived at their invention prior to August 17, 2000, the date of receipt of the Monier reference at the library of Massachusetts Institute of Technology, Cambridge Massachusetts (a Stamped copy attached, Appendix 2).

The Examiner has requested that the Applicant's provide photographs with better resolution to replace the gel images of the Declaration submitted on February 09, 2006.

Applicants submit herewith photographed gels from Exhibit A and Exhibit B of the Declaration submitted on February 09, 2006, the photographs are attached herewith as Exhibit A and Exhibit B respectively. Applicants respectfully submit that these photographs should provide clear evidence of record as requested by the Examiner.

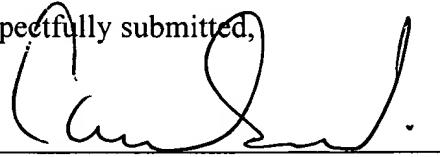
Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) as being unpatentable over Moses et al (cancer Research, 1998, Vol. 58, pp. 1395-1399) as evidenced by the abstract of Monier et al. (Clinica Chimica Acta, Sep 2000, Vol. 299, pp 11-23) in view of Kjeldsen et al. (Journal of Biological Chemistry, 1993, Vol 268, pp 10425-10432) be withdrawn. Applicants further request that the objection to claim 9 as being dependent upon a rejected base claim also be withdrawn.

Page 5 of 5

In view of the following, Applicants respectfully submit that all claims are in condition for allowance. Even if the Examiner disagrees, Applicants respectfully submit that the amendments to the claims, which merely incorporate recitations of claims already being examined, reduces the issues for appeal and thus this amendment should be entered. Early and favorable action is requested.

Date: 8/14/06

Respectfully submitted,



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EXHIBIT A



EXHIBIT B

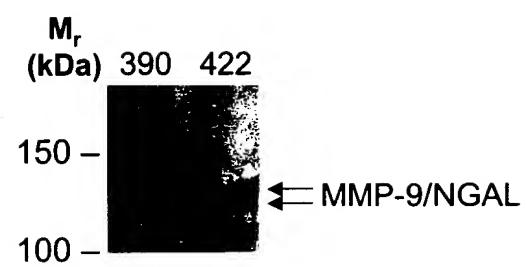


EXHIBIT B : IMMUNOBLOT
FOR NGAL

Moses et al., 2006

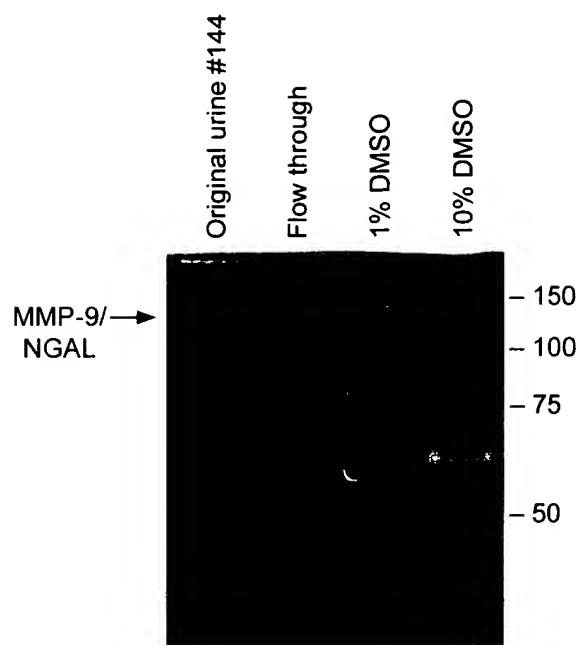


EXHIBIT A : Geriatric
zyngogram

Moses et al., 2006